

### **REMARKS/ARGUMENTS**

Claims 2-5 and 21 have been cancelled. Claims 1, 6, 9, 14, and 15 have been amended for reasons described below. More specifically, Claim 1 has been amended to incorporate the subject matter of cancelled Claims 1 and 4. Claim 9 has been amended to define "P". Claims 9 and 15 have been amended to define the imaging member as "negative-working" as described on page 7 (lines 9-10) and as having only one imaging layer as described on page 8 (lines 29-30) of Applicants' application. Claim 14 has been amended to correct a error of an editorial nature.

New Claim 22 replaces cancelled Claim 5 with dependency upon Claim 9, and new Claim 23 has the subject matter of amended Claim 1 but also dependent upon Claim 9.

It is appreciated that method Claims 16-20 have been allowed. It is believed that the foregoing amendment and following remarks render all remaining claims allowable.

### **Rejection Under 35 U.S.C. §102(b)**

Claims 1-3, 5, 8-11, and 13-15 have been rejected as anticipated by U.S. Patent 4,427,758 (Quinn). As far as it applies to claims presently in this application, this rejection is respectfully traversed.

Remaining "composition" Claims 1 and 6-8 are believed to be novel over Quinn because Claim 1 now defines the thermally sensitive compound as being polymeric (that is, R<sub>1</sub> is a polymer backbone). Thus, the subject matter of allowable Claim 4 has been incorporated into Claim 1 and is novel over Quinn.

Imaging member and lithographic plate Claims 9-15, 22, and 23 are directed to "negative-working" materials that have a single imaging layer. This type of imaging material is distinguishable from the "positive-working" elements of Quinn that have at least two layers necessary for imaging, i.e. a photopolymerizable layer and an opaque layer underneath containing the bisulfite hardener. Thus, Applicants' claimed imaging member is novel over Quinn.

For these reasons, the rejection under Section 102(b) should be withdrawn.

**Rejection Under 35 U.S.C. §103**

Claims 1-3, 5, 8-11, and 13-15 also have been rejected as unpatentable over U.S. Patent 4,427,758 (Quinn). As far as it applies to claims presently in this application, this rejection is respectfully traversed.

Applicants believe that their claimed thermally sensitive composition and imaging member are patentable over the teaching in Quinn. First of all, Applicant's claimed thermally sensitive composition (Claim 1) is patentable because it now recites the allowable subject matter of cancelled Claim 4.

With respect to the imaging member of Claims 9-15, 22, and 23, Applicants respectfully submit that Quinn does not teach or suggest Applicants' claimed negative-working thermally sensitive imaging member that has a single imaging layer that is imaged using thermal energy. Quinn teaches a positive-working element that has two essential layers for providing a positive image from photoexposure. One layer is a photopolymerizable material and the other contains a hardener. Through a series of photoexposure, development, and washing steps, a positive image is obtained. This is not suggestive of Applicants' very different thermally sensitive imaging material that contains all imaging components in a single layer that is responsive to thermal energy to provide a negative image. Thus, the rejection of the imaging member claims remaining in this application should be withdrawn.

**Rejection Under 35 U.S.C. §112(2)**

Claim 6 has been rejected for lacking a definition of "P" in the recited Structure II. This rejection is overcome with the noted amendment to Claim 6.

In view of the foregoing amendments and remarks, it is believed that all issues have been properly addressed and reconsideration of this patent application is respectfully requested. A prompt and favorable action by the examiner is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Lanny Tucker", written over a horizontal line.

Attorney for Applicant(s)  
Registration No. 27,678

J. Lanny Tucker/s-p  
Rochester, NY 14650  
Telephone: (585) 722-9332  
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.